

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of )  
Paul Holvoet and Désiré Collen )  
Serial No.: 09/446,259 ) Examiner: L. Cook  
Filed: December 20, 1999 ) Art Unit: 1641  
For: ASSAYS, ANTIBODIES, AND )  
STANDARDS FOR DETECTION OF )  
OXIDIZED AND MDA-MODIFIED )  
LOW DENSITY LIPOPROTEINS )

**DECLARATION ON BEHALF OF ASSIGNEE CONCERNING  
DEPOSIT OF MICROORGANISMS**

I, professor Raymond DE BONDT, declare as follows.

1. I make this declaration on behalf of LRD in support of the above-captioned patent application.

2. I am the Chairman of  
Leuven Research & Development VZW ("LRD"), the assignee and sole owner of the  
above-captioned patent application, and I am fully empowered to make this declaration on behalf  
of LRD.

3. Attached hereto and made a part hereof are true copies of three sets of papers  
concerning three deposits of microorganisms that were made by LRD with the Belgian  
Coordinated Collections Of Microorganisms ("BCCM") under the provisions of the Budapest

RDY

Treaty Of 28 April 1977 On The International Recognition Of the Deposit Of Microorganisms For The Purposes Of Patent Procedure ("Budapest Treaty").

4. The first set of papers (Exhibit A) concerns Hybridoma cell line Hyb-1H11.

The first document of the set is a two-page contract between LRD and BCCM concerning a deposit LRD is making of that cell line under the provisions of the Budapest Treaty. LRD signed the contract on May 15, 1997, and BCCM signed it on May 21, 1997. In the contract, LRD promises that it will observe all the regulations under the Budapest Treaty. The second document of the set is a two-page receipt, indicating that BCCM received the cell line deposit and accorded it Accession No. LMBP 1659 CB. The third document of the set is a two-page viability statement, indicating that cell line was deposited with the BCCM by LRD on April 24, 1997 and that it was still viable when it was tested on May 13, 1997. The fourth and last document of the set is a one-page notification to LRD by BCCM that the procedure under the Budapest Treaty for depositing this cell line (LMBP 1659 CB), identified as Hybridoma cell line Hyb-1H11, has been completed.

5. The second set of papers (Exhibit B) concerns Hybridoma cell line Hyb-4E6.

The first document of the set is a two-page contract between LRD and BCCM concerning a deposit LRD is making of that cell line under the provisions of the Budapest Treaty. LRD signed the contract on May 15, 1997, and BCCM signed it on May 21, 1997. In the contract, LRD promises that it will observe all the regulations under the Budapest Treaty. The second document of the set is a two-page receipt, indicating that BCCM received the cell line deposit and accorded it Accession No. LMBP 1660 CB. The third document of the set is a two-page viability statement, indicating that cell line was deposited with the BCCM by LRD on April 24,

RDH

1997 and that it was still viable when it was tested on May 13, 1997. The fourth and last document of the set is a one-page notification to LRD by BCCM that the procedure under the Budapest Treaty for depositing this cell line (LMBP 1660 CB), identified as Hybridoma cell line Hyb-4E6, has been completed.

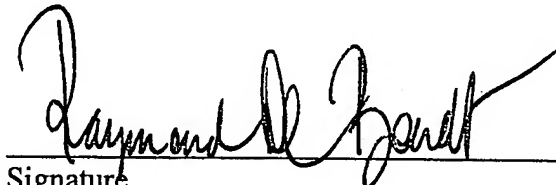
6. The third set of papers (Exhibit C) concerns Hybridoma cell line Hyb-8A2. The first document of the set is a two-page contract between LRD and BCCM concerning a deposit LRD is making of that cell line under the provisions of the Budapest Treaty. LRD signed the contract on May 15, 1997, and BCCM signed it on May 21, 1997. In the contract, LRD promises that it will observe all the regulations under the Budapest Treaty. The second document of the set is a two-page receipt, indicating that BCCM received the cell line deposit and accorded it Accession No. LMBP 1661 CB. The third document of the set is a two-page viability statement, indicating that cell line was deposited with the BCCM by LRD on April 24, 1997 and that it was still viable when it was tested on May 13, 1997. The fourth and last document of the set is a one-page notification to LRD by BCCM that the procedure under the Budapest Treaty for depositing this cell line (LMBP 1661 CB), identified as Hybridoma cell line Hyb-1H11, has been completed.

7. As shown by Exhibits A, B, and C, the deposits of Hybridoma cell lines Hyb-1H11, Hyb-4E6, and Hyb-8A2 were made on April 24, 1997 under the provisions of the Budapest Treaty.

8. In accordance with The United States Code Of Federal Regulations ("CFR") (e.g., 37 CFR § 1.808) and The United States Patent And Trademark Office's Manual Of Patent Examination ("MPEP") (e.g., § 2410.01), all restrictions imposed by the LRD on the availability

to the public of the deposited material (except as permitted by the CFR and MPEP) will be irrevocably removed upon the granting of any patent issuing from this application or from any continuing application based thereon. Furthermore, each of the deposits will be replaced if a viable sample of it cannot be furnished by the BCCM.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
Signature

November 8, 2001  
\_\_\_\_\_  
Date

Prof. Dr. Raymond DE BOND  
CHAIRMAN

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS BCCM™  
LMBP-COLLECTION**

Page 1 of Contract BCCM™/LMBP/DBT1/97-16... in the case of an original deposit or in the case of a new deposit with another International Depositary Authority.

**Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of  
Microorganisms for the Purposes of Patent Procedure**

**Contract in the case of an original deposit or in the case of a new deposit with another  
International Depositary Authority**

**Contract BCCM™/LMBP/DBT1/97-16.... (number to be filled in by IDA)**

**To : Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**Between the Belgian Coordinated Collections of Microorganisms - BCCM™, represented by**

**Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**called hereafter " BCCM™/LMBP"**

**and**

**the "Depositor" identified at the bottom of this form**

**it is agreed that if BCCM™/LMBP accepts the deposit under the Budapest Treaty of the  
microorganism with the following identification reference, by sending to the depositor the signed  
form BCCM™/LMBP/DBT2/97-16.... which completes the procedure,**

**(Indicate number, symbols, etc. given to the microorganism by the depositor)**

**Hybridoma cell line:  
Hyb-1H11**

- 1. The depositor knows and will observe all the provisions of the Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and the Regulations under the Treaty and, more specifically, that he:**
  - a) will provide all necessary information requested by BCCM™/LMBP, especially the information found on form BCCM™/LMBP/BP/1 in the case of an original deposit and form BCCM™/LMBP/BP/3 in the case of a new deposit;**
  - b) will pay all necessary fees;**
  - c) will not withdraw the deposit for the period specified in Rule 9.1;**

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Contract BCCM™/LMBP/DBT11.97-16..... in the case of an original deposit or in the case of a new deposit with another International Depositary Authority.

- d) authorizes BCCM™/LMBP to furnish samples according to the applicable patent requirements;
- e) will make a new deposit in the event of BCCM™/LMBP being unable to furnish samples;
2. The depositor will not hold BCCM™/LMBP or the Belgian Science Policy Office responsible for any deterioration of samples during storage when all precautions indicated by him in respect of storage have been taken by BCCM™/LMBP;
3. The depositor will compensate BCCM™/LMBP for any damage it may sustain as a consequence of dealing with the organism when all precautions indicated by him in respect of dealing with the organism have been taken by BCCM™/LMBP;
4. The depositor will indemnify BCCM™/LMBP against any action brought against it as a consequence of the release of samples, unless such action results from negligence on the part of BCCM™/LMBP.

Any dispute that may arise shall be governed by Belgian law. Only the courts in the Brussels juridical district shall be competent.

**The depositor :**

(In the case of a private company, give: full registered name, legal status and address of the registered office)

Name : Leuven Research & Development VZW

Address : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

Signature



Hans Claes, Directeur

Date

: 15 05 1997

(Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s)).

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):

Date : May 21, 1994



Martine Vanhoucke

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 1 of Form BCCM™/LMBP/BP/4/ 97-16

Receipt in the case of an original deposit

**Budapest Treaty on the International Recognition of the Deposit of Microorganisms for  
the Purposes of Patent Procedure**

**Receipt in the case of an original deposit issued pursuant to Rule 7.1 by the  
International Depositary Authority BCCM™/LMBP identified at the bottom of next page**

***International Form BCCM™/LMBP/BP/4/97-16***

**To : Name of the depositor : Leuven Research & Development VZW**

**Address**

**: Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium**

**I. Identification of the microorganism:**

**I.1 Identification reference given by the depositor:**

Hybridoma cell line: Hyb-1H11

**I.2 Accession number given by the International Depositary Authority:**

LMBP1659CB

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Form BCCM™/LMBP/BP/4/97-16

Receipt in the case of an original deposit

**II. Scientific description and/or proposed taxonomic designation**

The microorganism identified under I above was accompanied by:

(mark with a cross the applicable box(es)):

- ☒ a scientific description  
☐ a proposed taxonomic designation

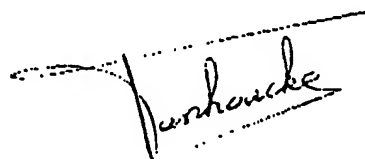
**III. Receipt and acceptance**

This International Depositary Authority accepts the microorganism identified under I above, which was received by it on (date of original deposit) : April 24, 1997

**IV. International Depositary Authority**

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):



Date : May 20, 1997

Lic. Martine Vanhoucke  
LMBP Assistant Manager



**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 1 of Form BCCM™/LMBP/BP/9/97-16

Viability statement

**Budapest Treaty on the International Recognition of the Deposit of Microorganisms for  
the Purposes of Patent Procedure**

**Viability statement issued pursuant to Rule 10.2 by the International Depositary  
Authority BCCM™/LMBP identified on the following page**

***International Form BCCM™/LMBP/BP/9/97-16***

**To : Party to whom the viability statement is issued:**

**Name** : Hans Claes  
Algemeen Directeur

**Address** : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

**I. Depositor:**

**I.1 Name** : Leuven Research & Development VZW

**I.2 Address** : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

**II. Identification of the microorganism:**

**II.1 Accession number given by the International Depositary Authority:**

LMBP1659CB

**II.2 Date of the original deposit (or where a new deposit or a transfer has been  
made, the most recent relevant date) : April 24, 1997**

**III. Viability statement.**

**The viability of the microorganism identified under II above was tested on**

**: May 13, 1997**

**(Give date. In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent  
viability test).**

**On that date, the said microorganism was: (mark the applicable box with a cross)**

☒ **viable**

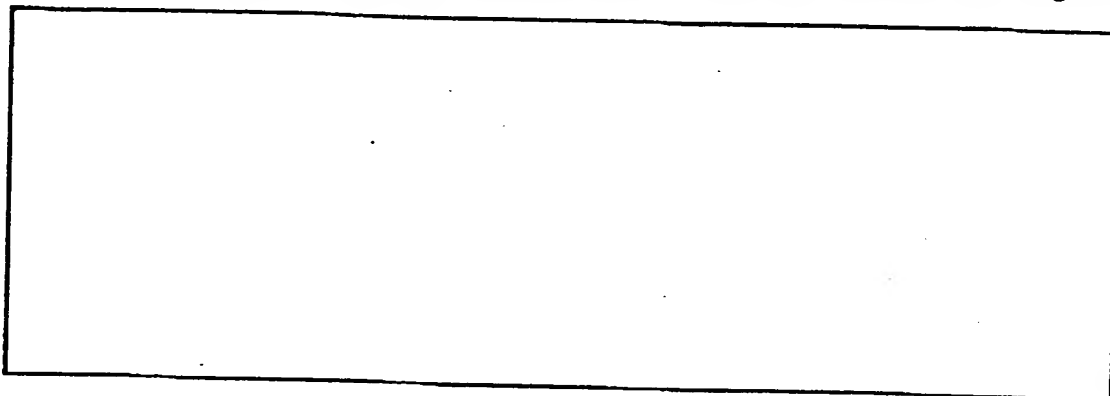
☐ **no longer viable**

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Form BCCM™/LMBP/BP/9/97-16 Viability statement

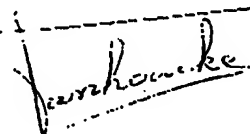
**IV. Conditions under which the viability test has been performed:**

(Fill in if the information has been requested and if the results of the test were negative).

**V. International Depositary Authority**

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):



Date : May 20, 1997

Lic. Martine Vanhoucke  
LMBP assistant manager

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Notification BCCM™/LMBP/DBT2/97-16 of completion of the procedure of an original deposit or of a new deposit

**Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of  
Microorganisms for the Purposes of Patent Procedure**

**Notification of completion of the procedure of an original deposit or of a new deposit with  
another International Depositary Authority**

**Notification BCCM™/LMBP/DBT2/97-16**

**To : Name of the depositor : Leuven Research & Development VZW**

**Address : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium**

**This International Depositary Authority declares that it accepts the microorganism with the  
following identification reference,**

**(Identification reference given to the microorganism by the depositor)**

Hybridoma cell line: Hyb-1H11

**(Accession number given by the International Depositary Authority)**

LMBP1659CB

**and that it has sent to the depositor the international form BCCM™/LMBP/BP/4/97-16 (in the  
case of an original deposit) or the international form BCCM™/LMBP/BP/5/ (in the case of a  
new deposit) and the international form BCCM™/LMBP/BP/9/97-16, being the viability statement  
for that microorganism.**

**This International Depositary Authority reminds the depositor that he is bound by the terms and  
conditions stated in the Contract BCCM™/LMBP/DBT1/97-16 signed by both parties.**

**The International Depositary Authority :**

**Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**Signature(s) of person(s) having the power to represent the International Depositary Authority or  
of authorized official(s):**

**Date : September 29, 1997**

  
**Lic. Martine Vanhoucke  
BCCM™/LMBP curator**

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS BCCM™  
LMBP-COLLECTION**

Page 1 of Contract BCCM™/LMBP/DBT1/97-17... in the case of an original deposit or in the case of a new deposit with another International Depositary Authority.

**Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of  
Microorganisms for the Purposes of Patent Procedure**

**Contract in the case of an original deposit or in the case of a new deposit with another  
International Depositary Authority**

**Contract BCCM™/LMBP/DBT1/97-17..... (number to be filled in by IDA)**

**To : Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**Between the Belgian Coordinated Collections of Microorganisms - BCCM™, represented by**

**Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**called hereafter " BCCM™/LMBP"**

**and**

**the "Depositor" identified at the bottom of this form**

**it is agreed that if BCCM™/LMBP accepts the deposit under the Budapest Treaty of the  
microorganism with the following identification reference, by sending to the depositor the signed  
form BCCM™/LMBP/DBT2/97-17..... which completes the procedure,**

**(Indicate number, symbols, etc. given to the microorganism by the depositor)**

**Hybridoma cell line: Hyb-4E6**

- 1. The depositor knows and will observe all the provisions of the Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and the Regulations under the Treaty and, more specifically, that he:**
  - a) will provide all necessary information requested by BCCM™/LMBP, especially the information found on form BCCM™/LMBP/BP/1 in the case of an original deposit and form BCCM™/LMBP/BP/3 in the case of a new deposit;**
  - b) will pay all necessary fees;**
  - c) will not withdraw the deposit for the period specified in Rule 9.1;**

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Contract BCCM™/LMBP/DBT1/97-17..... in the case of an original deposit or in the case of a new deposit with another International Depositary Authority.

---

- d) authorizes BCCM™/LMBP to furnish samples according to the applicable patent requirements;
  - e) will make a new deposit in the event of BCCM™/LMBP being unable to furnish samples;
2. The depositor will not hold BCCM™/LMBP or the Belgian Science Policy Office responsible for any deterioration of samples during storage when all precautions indicated by him in respect of storage have been taken by BCCM™/LMBP;
  3. The depositor will compensate BCCM™/LMBP for any damage it may sustain as a consequence of dealing with the organism when all precautions indicated by him in respect of dealing with the organism have been taken by BCCM™/LMBP;
  4. The depositor will indemnify BCCM™/LMBP against any action brought against it as a consequence of the release of samples, unless such action results from negligence on the part of BCCM™/LMBP.

Any dispute that may arise shall be governed by Belgian law. Only the courts in the Brussels juridical district shall be competent.

**The depositor :**

(In the case of a private company, give: full registered name, legal status and address of the registered office)

Name : Leuven Research & Development VZW

Address : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

Signature :



Hans Claes, Directeur

Date :

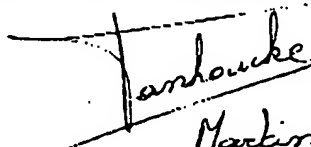
15/05/1997

(Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s)).

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):

Date May 21, 1997



Martine Vanhoucke

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 1 of Form BCCM™/LMBP/BP/4/ 97-17

Receipt in the case of an original deposit

Budapest Treaty on the International Recognition of the Deposit of Microorganisms for  
the Purposes of Patent Procedure

Receipt in the case of an original deposit issued pursuant to Rule 7.1 by the  
International Depositary Authority BCCM™/LMBP identified at the bottom of next page

*International Form BCCM™/LMBP/BP/4/97-17*

To : Name of the depositor : Leuven Research & Development VZW

Address : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

I. Identification of the microorganism:

I.1 Identification reference given by the depositor:

Hybridoma cell line: Hyb-4E6

I.2 Accession number given by the International Depositary Authority:

LMBP1660CB

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Form BCCM™/LMBP/BP/4/97-17

Receipt in the case of an original deposit

**II. Scientific description and/or proposed taxonomic designation**

The microorganism identified under I above was accompanied by:

(mark with a cross the applicable box(es)):

- ☒ a scientific description  
☐ a proposed taxonomic designation

**III. Receipt and acceptance**

This International Depositary Authority accepts the microorganism identified under I above, which was received by it on (date of original deposit) : April 24, 1997

**IV. International Depositary Authority**

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):

Date : May 20, 1997

  
Lic. Martine Vanhoucke  
LMBP Assistant Manager

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™****LMBP-COLLECTION**

Page 1 of Form BCCM™/LMBP/BP/9/97-17

Viability statement

**Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure**

Viability statement issued pursuant to Rule 10.2 by the International Depositary  
Authority BCCM™/LMBP identified on the following page

**International Form BCCM™/LMBP/BP/9/97-17****To : Party to whom the viability statement is issued:**

**Name** : Hans Claes  
Algemeen Directeur

**Address** : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

**I. Depositor:**

**I.1 Name** : Leuven Research & Development VZW

**I.2 Address** : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

**II. Identification of the microorganism:**

**II.1 Accession number given by the International Depositary Authority:**

LMBP1660CB

**II.2 Date of the original deposit (or where a new deposit or a transfer has been made, the most recent relevant date)** : April 24, 1997

**III. Viability statement.**

The viability of the microorganism identified under II above was tested on

: May 13, 1997

(Give date. In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test).

On that date, the said microorganism was: (mark the applicable box with a cross)

☒ viable

☐ no longer viable



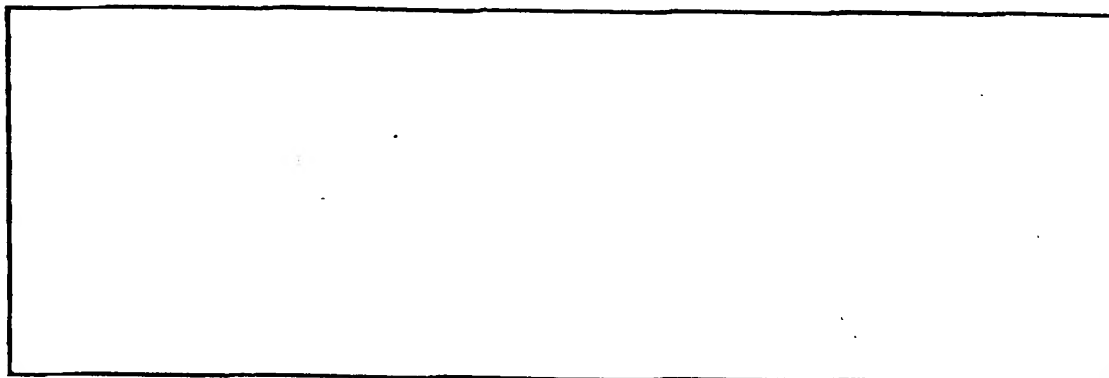
**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Form BCCM™/LMBP/BP/9/97-17

Viability statement

**IV. Conditions under which the viability test has been performed:**


(Fill in if the information has been requested and if the results of the test were negative).

**V. International Depositary Authority**

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary  
Authority or of authorized official(s):

Date : May 20, 1997



Lic. Martine Vanhoucke  
LMBP assistant manager

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Notification BCCM™/LMBP/DBT2/97-17 of completion of the procedure of an original deposit or of a new deposit

Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of  
Microorganisms for the Purposes of Patent Procedure

Notification of completion of the procedure of an original deposit or of a new deposit with  
another International Depository Authority

Notification BCCM™/LMBP/DBT2/97-17

To : Name of the depositor : Leuven Research & Development VZW

Address : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

This International Depository Authority declares that it accepts the microorganism with the  
following Identification reference,

(Identification reference given to the microorganism by the depositor)

Hybridoma cell line: Hyb-4E6

(Accession number given by the International Depository Authority)

LMBP1660CB

and that it has sent to the depositor the international form BCCM™/LMBP/BP/4/97-17 (in the  
case of an original deposit) or the international form BCCM™/LMBP/BP/5/ (in the case of a  
new deposit) and the international form BCCM™/LMBP/BP/9/97-17, being the viability statement  
for that microorganism.

This International Depository Authority reminds the depositor that he is bound by the terms and  
conditions stated in the Contract BCCM™/LMBP/DBT1/97-17 signed by both parties.

The International Depository Authority :

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depository Authority or  
of authorized official(s) :

Date : September 29, 1997

  
Lie. Martine Vanhoucke  
BCCM™/LMBP curator

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS BCCM™  
LMBP-COLLECTION**

Page 1 of Contract BCCM™/LMBP/DBT1/97-18.... in the case of an original deposit or in the case of a new deposit with another International Depositary Authority.

**Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure**

**Contract in the case of an original deposit or in the case of a new deposit with another International Depositary Authority**

**Contract BCCM™/LMBP/DBT1/97-18.... (number to be filled in by IDA)**

**To : Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**Between the Belgian Coordinated Collections of Microorganisms - BCCM™, represented by**

**Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**called hereafter " BCCM™/LMBP"**

**and**

**the "Depositor" identified at the bottom of this form**

**it is agreed that if BCCM™/LMBP accepts the deposit under the Budapest Treaty of the microorganism with the following identification reference, by sending to the depositor the signed form BCCM™/LMBP/DBT2/97-18..... which completes the procedure,**

**(Indicate number, symbols, etc. given to the microorganism by the depositor)**

**Hybridoma cell line: Hyb-8A2**

- 1. The depositor knows and will observe all the provisions of the Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and the Regulations under the Treaty and, more specifically, that he:**
  - a) will provide all necessary information requested by BCCM™/LMBP, especially the information found on form BCCM™/LMBP/BP/1 in the case of an original deposit and form BCCM™/LMBP/BP/3 in the case of a new deposit;**
  - b) will pay all necessary fees;**
  - c) will not withdraw the deposit for the period specified in Rule 9.1;**

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Contract BCCM™/LMBP/DBT11.97-18.... in the case of an original deposit or in the case of a new deposit with another International Depositary Authority.

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- d) authorizes BCCM™/LMBP to furnish samples according to the applicable patent requirements;
  - e) will make a new deposit in the event of BCCM™/LMBP being unable to furnish samples;
2. The depositor will not hold BCCM™/LMBP or the Belgian Science Policy Office responsible for any deterioration of samples during storage when all precautions indicated by him in respect of storage have been taken by BCCM™/LMBP;
  3. The depositor will compensate BCCM™/LMBP for any damage it may sustain as a consequence of dealing with the organism when all precautions indicated by him in respect of dealing with the organism have been taken by BCCM™/LMBP;
  4. The depositor will indemnify BCCM™/LMBP against any action brought against it as a consequence of the release of samples, unless such action results from negligence on the part of BCCM™/LMBP.

Any dispute that may arise shall be governed by Belgian law. Only the courts in the Brussels juridical district shall be competent.

The depositor :

(In the case of a private company, give: full registered name, legal status and address of the registered office)

Name : Leuven Research & Development VZW

Address : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

Signature :  Hans Claes, Directeur

Date :

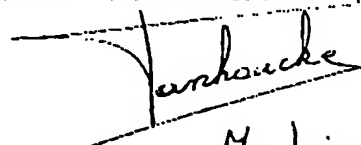
15 05 1997

(Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s)).

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):

Date May 21, 1997

  
Martine Vanhoucke

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 1 of Form BCCM™/LMBP/BP/4/ 97-18

Receipt in the case of an original deposit

Budapest Treaty on the International Recognition of the Deposit of Microorganisms for  
the Purposes of Patent Procedure

Receipt in the case of an original deposit issued pursuant to Rule 7.1 by the  
International Depositary Authority BCCM™/LMBP identified at the bottom of next page

*International Form BCCM™/LMBP/BP/4/97-18*

To : Name of the depositor : Leuven Research & Development VZW

Address : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

I. Identification of the microorganism:

I.1 Identification reference given by the depositor:

Hybridoma cell line: Hyb-8A2

I.2 Accession number given by the International Depositary Authority:

LMBP1661CB

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 2 of Form BCCM™/LMBP/BP/4/97-18

Receipt in the case of an original deposit

**II. Scientific description and/or proposed taxonomic designation**

The microorganism identified under I above was accompanied by:

(mark with a cross the applicable box(es)):

- ☒ a scientific description  
☐ a proposed taxonomic designation

**III. Receipt and acceptance**

This International Depositary Authority accepts the microorganism identified under I above, which was received by it on (date of original deposit) : April 24, 1997

**IV. International Depositary Authority**

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):

Date : May 20, 1997

  
Lic. Martine Vanhoucke  
LMBP Assistant Manager

**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Page 1 of Form BCCM™/LMBP/BP/9/97-18

Viability statement

**Budapest Treaty on the International Recognition of the Deposit of Microorganisms for  
the Purposes of Patent Procedure**

**Viability statement issued pursuant to Rule 10.2 by the International Depositary  
Authority BCCM™/LMBP identified on the following page**

***International Form BCCM™/LMBP/BP/9/97-18***

**To : Party to whom the viability statement is issued:**

**Name** : Hans Claes  
Algemeen Directeur

**Address** : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

**I. Depositor:**

**I.1 Name** : Leuven Research & Development VZW

**I.2 Address** : Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

**II. Identification of the microorganism:**

**II.1 Accession number given by the International Depositary Authority:**

LMBP1661CB

**II.2 Date of the original deposit (or where a new deposit or a transfer has been  
made, the most recent relevant date) : April 24, 1997**

**III. Viability statement.**

**The viability of the microorganism identified under II above was tested on**

**: May 13, 1997**

**(Give date. In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent  
viability test).**

**On that date, the said microorganism was: (mark the applicable box with a cross)**

☒ **viable**

☐ **no longer viable**

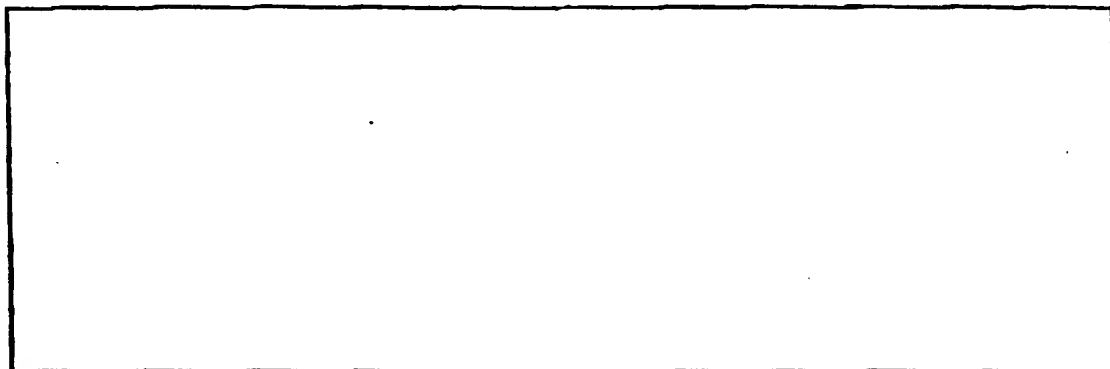
**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™****LMBP-COLLECTION**

Page 2 of Form BCCM™/LMBP/BP/9/97-18

Viability statement

**IV. Conditions under which the viability test has been performed:**

(Fill in if the information has been requested and if the results of the test were negative).

**V. International Depositary Authority**

Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium

Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):

Date : May 20, 1997



Lic. Martine Vanhoucke  
LMBP assistant manager



**BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS - BCCM™  
LMBP-COLLECTION**

Notification BCCM™/LMBP/DBT2/97-18 of completion of the procedure of an original deposit or of a new deposit

**Budapest Treaty of 28 April 1977 on the International Recognition of the Deposit of  
Microorganisms for the Purposes of Patent Procedure**

**Notification of completion of the procedure of an original deposit or of a new deposit with  
another International Depositary Authority**

**Notification BCCM™/LMBP/DBT2/97-18**

**To : Name of the depositor :** Leuven Research & Development VZW  
**Address :** Groot Begijnhof  
Benedenstraat 59  
B-3000 Leuven  
Belgium

**This International Depositary Authority declares that it accepts the microorganism with the  
following identification reference,**

**(Identification reference given to the microorganism by the depositor)**

Hybridoma cell line: Hyb-8A2

**(Accession number given by the International Depositary Authority)**

LMBP1661CB

**and that it has sent to the depositor the international form BCCM™/LMBP/BP/4/97-18 (in the  
case of an original deposit) or the international form BCCM™/LMBP/BP/5/ (in the case of a  
new deposit) and the international form BCCM™/LMBP/BP/9/97-18, being the viability statement  
for that microorganism.**

**This International Depositary Authority reminds the depositor that he is bound by the terms and  
conditions stated in the Contract BCCM™/LMBP/DBT1/97-18 signed by both parties.**

**The International Depositary Authority :**

**Belgian Coordinated Collections of Microorganisms (BCCM™)  
Laboratorium voor Moleculaire Biologie - Plasmidencollectie (LMBP)  
Universiteit Gent  
K.L. Ledeganckstraat 35  
B-9000 Gent, Belgium**

**Signature(s) of person(s) having the power to represent the International Depositary Authority or  
of authorized official(s) :**

**Date : September 29, 1997**

  
**Lic. Martine Vanhoucke  
BCCM™/LMBP curator**